

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MURPHY CARTER,)
Petitioner,) CASE NO. C04-1813-RSM
v.) (CR99-580-BJR)
UNITED STATES OF AMERICA,) ORDER DENYING MOTION
Respondent.) UNDER 28 U.S.C. § 2255

The Court, having reviewed petitioner's § 2255 motion, the Report and Recommendation of Judge Monica J. Benton, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation.
 - (2) Petitioner's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 (Dkt. # 1) is DENIED.
 - (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to Judge Benton.

DATED this 23rd day of September, 2005.

/s/ James L. Robart
JUDGE JAMES L. ROBART for
JUDGE RICARDO S. MARTINEZ
United States District Judge

ORDER DENYING § 2255 MOTION